G. R. S. IX-5]

Previous references

CB. 11-18-37.38
" 11-18-75
" 21-19-1,2
" 57-18-11,12

1920-21.
(CB.)

File No. 225-19

Serial Nos. 1, 2, 3

Later references.

CB. 59-22-7
CB 51-24-1.
CB 57-24-2
CB. 51-24-4
CB 133-28-1,2

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1, 2, 3

Part B for August 1920.

SUBJECT.

Representations regarding the rank of officers officiating in the grade of Senior Asst. Comrs.

To

The Rev. Comr. in Mysore
The Comptroller Mysore Govt.

~~Accordin~~
Directs that the rank of Mr. R. Vana Sami Rao be fixed below that of Mr. M. G. Krishnaswami Rao

WD 788—GPB—5,000—7-11-19

D 28

(For Disposal at a Meeting)

No. C. 687

.....19..20

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

Clasue v of the schedule.

Representation from certain officers officiating in the grade of Senior Assistant Commissioners in connection with their rank.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

C Balasundaram
Chief Secretary to Government.

..... 26th May ..... 19 20.

Extraordinary Member of Council.

291 / 14/6/20 First Member of Council. 14.6

7455-180 / 11.6.20 Second Member of Council. 12.6.20

6688 / 27.5.20 Third Member of Council. 9/6

G. R. S. III—1] 1919-20

GENERAL AND REVENUE SECRETARIAT.

(CB.)

NOTES.

File No. 225

FILE HEADING.

Representations regarding the relative rank of Officers officiating in the grade of the Senior Asst Commrs

From

The Dn Commr. Kolar Dt.

No. HC. 482/19-20 Dated 19/4/1920 Received 22/4/1920

Diary No.	1109	Enclos. 1	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Fr. Mr. M. Cf. Krishnaswami Rao's representation requesting that his name may be placed over that of Mr. Nanaswami Rao in the Civil list.

NOTES AND ORDERS.

2 From the Dn Commr., Mysore Dist

No. Dis Oc. 2970/Rev 19-20 dt 26/4/1920

Fr. Mr. Nanaswami Rao's representation requesting that his place in the list of ~~Senior~~ Asst Commrs may be fixed above Mr. D Srinivasa Iyengar, ~~is to be restored. Also given in the list of existing Senior Asst Commrs~~

NOTES—First Sheet.

G. R. S. III-2)

General and Revenue Secretariat. | CP. File No. 225 of 1919.

Serial No.

The following list of Acting Senior Asst Commrs shows the dates from which they have been continuously acting as such and the dates of their promotion to the 1st class of Asst Commrs also.

	Date of appt as acting Senior Asst Comr.	Date of promn to I class of Asst Commrs	Remarks.
1. Mr. D. Srinivasadyangar B.A.	1.4.1918	1.4.18	At present employed as City Magte, Mysore under the separation scheme.
2 " T. Lakshminarasimha Rao, B.A., B.L.,	1.6.1918	1.6.18.	Was on other duty in Rev Deptt & on privilege leave up to 25th June 1919. on other duty as Dy Comptroller S/Srt from 5.7.1919.
3 " A.K Syed Taj Peeran B.A.	16.11.1918	16.11.18	Acting as Dy Commr of Chitaldrug from 13.4.192
4 " R. Ramasami Rao.	17.5.1919	31.3.1918	He became qualified on 17.5.19 for appt as Senior Asst Commr by passing the reqd tests.
5 " M.G. Krishnaswami Rao B.A.,	5.7.1919	1.1.19	He was appointed to act as Senior Asst Commr also for the broken period from 1.1.1919 to 25.6.19 vice no. 2 as no. 4 was not qualified therefor prior to 17.5.19

3

2. Mr. Krishnaswami Rao requests that his name may be shewn in the civil list above Mr. Ramasami Rao's. for the following reasons:—

1) he was appointed as Senior Asst Commr

NOTE—Contn. sheet.

G. R. S. III-2)

General and Revenue Secretariat. | CB File No. 225 of 1919.

Serial No.

in Jan^{y} 1919 (excluding the broken period, he is continuously acting as Sen^{r} Ass^{t} Comm^{r}. from 5th July 1919) while Mr. Nanasami Rao was appointed as such in June 1919 (from 17th May 1919)

2) ~~He~~ is drawing a salary of Rs 450+100 from Jan^{y} 1920 ← Mr. Nanasami Rao is still drawing a salary of Rs 450+50.

3) Mr. Taj Beerani (name) (junior to Mr. Nanasami Rao) is being shewn above Mr. Nanasami Rao as he was appointed acting Senior Ass^{t} Comm^{r} from an earlier date.

4 3. Mr. Nanasami Rao represents that for the period from 1914 to 1918 he was employed specially on work connected with the Malnad Improvement operations ← did not find time for studying for the tests & that after relief of this work he became fully qualified by passing the tests in 1919 and requests that his relative rank among Senior Asst Comm^{rs} may be ~~restored to~~ shown above Mr. D. Srinivasiengar for the following reasons

5 1) The relative rank of officers in a higher grade follows their rank in the substantive grade. This principle is observed in the Indian P. Deptt in the Madras Prov^{l} Service. It is also followed in the Mysore P.W.D

6 2) In the circumstances of this case he should not be penalised for the delay in qualifying himself.

Please see paper flagged 7.

NOTE—Contn. sheet.

G. R. S. III-2)

General and Revenue Secretariat. | CB. File No. 225 of 1919.

Serial No.

7 Reference is invited to
4. The following extracts from the Resolutions of Council re the appointment of Messrs. Nanasami Rao & Krishnasami Rao.

8 (1) Extract from the Proceedings of the Meeting of Council held on 24-7-1920.

× —— × ———— × .

H 9 The question of his (Mr. Nanasami Rao's) place in the list of Senior Asst Commrs may be considered separately.

(2) Extract from the Proceedings of the Meeting of Council held on 29th Sept 1919.

× ———— × ——— × .

10 The question of the relative rank of Mr. Nanasami Rao & Mr. Krishnasami Rao & other officers may be decided separately and suitable action taken.

11 5. In this connection it is also for consideration that Mr. Nanasami Rao has submitted an representation ~~stating~~ requesting that he may be selected as the next senior officer in the grade of Senior Asst Commrs and appointed as acting Dy Commr in Mr. C. Venkata Rao's vacancy, which has already been ~~proposed~~ filled up by Mr. Syed Taj Peeran.

12 Submd for orders

30/4/1920 6- The matter may be considered 12

NOTE—Contn. sheet.

General and Revenue Secretariat. | C.B. File No. 225 of 1919.

Serial No.

in Council. There is no definite rule on the subject and something can be said on both sides of the case.

Dewan 5/5/20

13 Yes. Please consult the H. Law case before finalising.

7.5.20

343/20/5 14) H seen with compliments 6/5

15) As stated by the Chief Secy there is no definite rule on the subject. The usual practice is this: unless an officer is specially selected for promotion his position is generally determined by his place in the list on which he is permanently borne - However if an officer does not pass departmental exams: within the prescribed time he is generally superseded by his junior who has satisfies all the Conditions of Service - The mere fact of having been appointed earlier to an acting vacancy or holding the acting charge for a longer period or drawing higher total emoluments does not by itself give an officer the right to supersede his senior who is well qualified as himself.

5/5/20

DEWAN'S OFFICE.
Recd. on MAY 5 1920
Reg. No. 7475.
(D.O.C. No. 86).

NOTE—Contn. sheet.

G. R. S. III-2j

6

General and Revenue Secretariat. | File No. | of 191 .

Serial No.

DEWAN'S OFFICE
Recd. 19 MAY 19 1920
Reg. No. 7769

Dewan).

C.S. Circulate.

NOTE—Contn. sheet.

C. 687

7

Extract from the Proceedings of the 532nd *Meeting of the Council of His Highness the Maharaja, held at Bangalore on the* 29th June 1920. *19* .

8. Subject. - Clause v of the schedule.

Representation from certain officers officiating in the grade of Senior Assistant Commissioners in connection with their rank.

Opinion of the Council.

As the grade of Senior Assistant Commissioner is a special one the seniority has to be decided according to the date of qualification

Mr. Nanasami Rao's and Mr. Krishnasami Rao's cases may be dealt with accordingly.

(Signed) M. Kantaraj Urs,
Dewan of Mysore.

"EXTRACT'

C S Balasubramaniam 30/6

Chief Secretary to Government.

WD 1148—GPB—1,000—23-12-18

C 687

8

G. R. S. III-2]

General and Revenue Secretariat.

C. B. File No. 225 of 1919.

Serial No.

D.S.N. subt

12/7/1920

Dewan)

15.7.20

DEWAN'S OFFICE.
Recd. on JUL 15 1920
Reg. No. 383

NOTE—Contn. sheet.

Submitted to His Highness.

...

These papers relate to the representations of Messrs. M. G. Krishnaswami Rao and R. Nanasami Rao in regard to their rank as acting Senior Assistant Commissioner.

2. Mr. Nanasami Rao's request is that though he was appointed acting Senior Assistant Commissioner from 17th May 1919, the date on which he fully qualified himself for promotion to higher grade, his rank in the grade of Senior Assistant Commissioners may be fixed above Mr. D.Srinivasa Iyengar in accordance with the principle followed in the British Indian Finance Department, etc., to the effect that the relative rank of officers in a higher grade follows their rank in the substantive grade.

3. Mr. Krishnaswami Rao, on the other hand, states that he was appointed acting Senior Assistant Commissioner in January 1919 and that he has been consequently drawing a higher salary than that of Mr. Nanasami Rao from January 1920 and his rank in the grade of Senior Assistant Commissioners may be fixed above the latter.

Page 5 of office Notes

4. The Financial Secretary is of opinion that an officers position is generally determined by his place in the list in which he is permanently borne, that, if however an officer is not fully qualified by passing the departmental examinations at the time when a vacancy arose, he is generally superseded by his junior who has satisfied all the conditions of service and that the mere fact of having been appointed earlier in an acting vacancy or holding the acting charge for a longer period or drawing higher total emoluments does not by itself give an officer the right to supersede his senior who is as well qualified as himself.

5. The

10

5. The representations were considered at the meeting of the Council held on the 29th June 1920 and the Council are of opinion that, as the grade of Senior Assistant Commissioners is a special one, the seniority has to be decided according to the date of the officer's qualification and that the cases of Messrs. Nanasami Rao and Krishnaswami Rao may be dealt with accordingly.

Page 7 of office Notes

6. Mr. Krishnaswami Rao was fully qualified in January 1919 when Mr. Nanasami Rao was not. The former has to be shewn above the latter in the grade of the Senior Assistant Commissioners.

7. I beg that the recommendation of the Council may be graciously sanctioned.

16 Aug 1920

687 1/

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Fixing the relative rank of Messrs. M.G. Krishnaswami Rao and R. Nanasami Rao in the grade of Senior Assistant Commissioners.

No 105

Order.

~~KRW~~
19/7/20

Ch Sy
Cell
21.7.20

C 687

1.2

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19 .

Serial No.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to the Members of Council for perusal of His Highness' orders $\frac{\text{before}}{\text{after}}$ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

C S Balasundaram 24/7.
Chief Secretary to Govt.

Through the Secretary to Government,
.....Department.

144
24/7

FIRST MEMBER OF COUNCIL 24/7

527-182
26.7.20.

SECOND MEMBER OF COUNCIL
27.7.20

THIRD MEMBER OF COUNCIL. 27/7

for 24
27.7.20

NOTE—Contn. sheet.

CB 1057

G. R. S. III-2]

13

General and Revenue Secretariat.

CB File No. 225 of 1919.

Serial No.	
	Draft G.O submd 29/7/1920 Chief Secy) MK 3/8/20 Issue CBy 14/8 260-61 / CB. 225-19-3 dated 17/8/20. According to the rule laid down by the Govt. Mr Navaswami's rank in the Class of Senior Asst. Comrs. will be fixed below that of Mr M.G Krishnaswami Rao.
	Recd 3/8/20 Delay 4 days MJ

NOTE—Contn. sheet.

14

I.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

DEWAN'S OFFICE.
Recd. on APR 9 1920
Reg. No. 6966

C.B. 1057

Trunk Roads. Sub-D
8th april 20 Dewan

My dear Sir, I thank you for your letter of 9/4/20
I understand that Mr. C. Venkat Rao, Dy. Comr. Chitaldrug goes on leave and that the question of an acting Dy. Comr. for that district is under Consideration.

May I represent that the question of my seniority is necessary.

D.

C.B.
I
Where is the
file re the relative
rank of Mr. N. Rao.

CBJ
14/4

Subt.
Reference is invited to C.B. 21-19
Sh. 1+2 put up.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

14/4/1920

15

CB 170

REVENUE SUB-DIVISION OFFICE,
FRENCH ROCKS. 14/8/20

Dated 12th Aug 1920.

My dear Sir,

If Govt have passed orders in my case, i.e. claiming to be placed above Mr. D. Sreeni Vasa-Iyengar in the grade of Senior asst Comrs, I beg a copy of the order may be sent to me for my information.

Yours Sincerely
R. Ramasamy Iyer

C. S. Balasundram Iyer Esq B.A.
Chief Secty to Govt.

GEN. & REV. SECRETARIAT
CONFIDENTIAL BRANCH
22 APR 1920

CB 1109

CB 2254 19-1

46

Office of the Deputy Commissioner,

Kolar District,

Dated Kolar, the 19th April 1920.

HCL 82 D 20-4-20

From

Md. Zahiruddin Mecci, Esquire., B.A.,

Deputy Commissioner, Kolar District.

To

C.S. Balasundaram Iyer, Esquire., B.A.,

Chief Secretary to the Government of Mysore,

BANGALORE.

Dear Sir,

I forward herewith Mr. M.G. Krishnaswami Rao's letter requesting that, for some reasons stated therein, his name may be placed over that of Mr.Nanaswami Rao, in the Civil List.

Please see CB 57-18 dt. 11-12

I have the honor to be,

Dear sir,

Your most obedient servant,

S. Shamanna

Treasury Assistant Commissioner,
For Deputy Commissioner, Kolar District,
(Absent from station.)

1914

CB 22/9/20

23639

191

From

The Deputy Commissioner,
Kolar District.

To

The Chief Secretary to the
Government of Mysore,
Bangalore.

Dated 19th April 1920.

Despatched 20.4.20

Received 22 APR 1920

General No. VII Ar 8885

No. 69:20

Enclosure No. One paper

Forwarding the letter of Mr.M.C. Krishnaswami Rao, requesting that he may be placed over Mr. Nanaswami Rao, in the Civil List.

Champion Reef,
Kolar Gold Fields,
14th April 1920

17

To

The Chief Secretary to the Government of H.H. the Maharaja of Mysore, Bangalore.

Through

The Deputy Commissioner,
Kolar District, Kolar.

Sir,

In the Civil list, Mr. R. Nanasami Rao was above Mr. Taj Peeran and me till we were promoted to the first grade. Mr. R. Nanasami Rao got his first grade from 31.3.1918, Mr. Taj Peeran from 16th November 1918 and I from 1st January 1919. There were vacancies in the Senior Assistant Commissioner's grade. Since Mr. Nanasami Rao had not fully qualified himself, Mr. Taj Peeran was appointed to fill up a vacancy. When I got my first grade in January 1919, Government were, on my representation, plesed to apppint me as acting Senior Assistant Commissioner from the 1st January 1919. Mr. R. Nanasami Rao fully qualified himself only in last June. I got my annual increment of Rs 50/- this January i.e., I am getting Rs 450 plus 100, whereas Mr. Nanasami Rao is getting Rs 450 plus 50.

When Mr. Taj Peeran was promoted to the Senior Assistant Commissioner's grade, his name was placed over Mr. Nanasami Rao's. For the very same reason, I request that my name may be placed over Mr. Nanasami Rao's since I was fully qualified at the time the vacancy happened and got my promotion from January 1919 and my increment from January 1920.

I beg to remain,
sir,
Your most obedient servant

M. G. Krishnasami Rao

CB 225-19-2

CB. 1129

GEN. & REV. SECRETARIAT
CONFIDENTIAL BRANCH
28 APR 1920

Mysore,
23-4-1920.

From

R. Nanasami Rao, Esquire,
Acting Senior Assistant Commissioner,
French Rocks.

To

C. S. Balasundaram Iyer, Esquire, B.A.,
Chief Secretary to Government,
Bangalore.

Through

P. F. Bowring, Esquire,
Deputy Commissioner,
Mysore District.

Sir,

I have the honor to request that early orders may be passed on my representation submitted in July 1919 regarding my rank in the grade of Senior Assistant Commissioners . The Government were pleased to say then that the question would be settled later on . I beg to submit that the deferring of the consideration of the question is affecting me prejudicially .

2. My prayer is simple. My relative rank in the permanent grade of Assistant Commissioners, B. Schedule, 1st grade is just below Mr. T. Thamboo Chetty, vide page 10, Civil List (1st January 1920). Owing to my not having qualified myself in 1918 by passing Civil Examinations Parts I and II, Messrs. D. Sreenivasa Iyengar and A.K. Taja Peeran

were appointed Acting Senior Assistant Commissioners. I qualified myself in 1919 and the Government appointed me also as Acting Senior Assistant Commissioner, but put me below the above named gentlemen. I represented that according to accepted rulings on the point, the relative rank of Officers appointed to act in the higher grade when allowed to continue as acting without being confirmed in that grade should be in accordance with their rank in the substantive lower grade. This principle is observed in the Indian Financial Department and in the Madras Provincial Services. I understand that the Mysore Public Works Department also are following the above principle. For instance, Mr. Guru Rao Sirsi, Assistant Engineer, failed to pass his Departmental Examination in one year but passed it the next year. He was promoted, and was not superseded by his juniors. I beg the same equity may be shown to me.

3. I beg to add that I should have qualified myself much earlier were it not for the fact that, for the period from 1914 to 1918, I was in charge of the Malnad Improvement Operations in Hassan and Kadur Districts. As that work was of a new description and had to be freshly organised and as the range of my work extended to two ~~ist~~ districts, I could not find time to study for the examinations. At the first opportunity after I was relieved of that heavy charge I appeared for the examinations and came out successful. In view of these special circumstances I beg that I may not be penalised for the delay in qualifying myself.

4. Further according to the Civil Service Rules of 1907 an Assistant Commissioner in the 1st grade had to put in a period of one year in that grade before being promoted as Senior Assistant Commissioner. This rule has, latterly,

been

been relaxed; but if it had not been, my qualifying myself would have been in time and would not have led to my super-session. If I knew that there was not this period of one year, I should have taken leave and qualified myself earlier.

5. Under all these circumstances, I beg to state that I am entitled alike by the merits of the case and by equity to have my place in the list of Senior Assistant Commissioners above Mr. D. Sreenivasa Iyengar and to request -- Government to be so good as to restore it to me.

I have the honor to remain,

sir,

your most obedient servant,

P Ramaswamy Rao

29[illegible]

CB
28 APR 1920

Recorded with Govt.
to submitting his request & recommend
that Mr. D.S. Iyengar may
dismiss a Govt. decision of Communication
& being passed over the Commissioner
in his age, & I think he deserves
to get back his place

26/4/20

6 Copies

4

Proceedings of the Government of His Highness the Maharaja of Mysore.

Issued

Read:-

Memo No.M.Dis.O.C.2970/Rev.19-20 dated 26th April 1920 from the Deputy Commissioner, Mysore District, forwarding a representation of Mr. R. Nanasami Rao regarding his rank in the grade of Acting Senior Assistant Commissioners.

(2) Letter No.H.C.482/19-20 dated 20th April 1920 from the Deputy Commissioner, Kolar District, forwarding a similar representation from Mr. M.G.Krishnaswami Rao, acting Senior Assistant Commissioner and Special Magistrate, Kolar Gold Fields.

O r d e r No. 260-61
CS.225-19-3
Dated. 17th Aug. 1920

Government are pleased to lay down the following ~~principle~~ rule for deciding the relative rank of acting Senior Assistant Commissioners.

If an Assistant Commissioner is promoted to act as Senior Assistant Commissioner in preference to his Senior on the ground that the latter ~~did~~ has not qualified himself for ~~the place~~ promotion by passing the Departmental Examina-

tions at the time when the vacancy arises ~~arose~~ he will take his rank above such Senior ~~Assistants~~ in the list of Senior Assistant Commissioners ~~on Subsequent Confirmation~~.

Mr. Nanaswami Rao fully qualified himself for the Senior Assistant Commissioner's place only in May 1919. The vacancies in that grade previous to that date were accordingly ~~given to~~ filled by ks who had satisfied all the conditions laid down for promotion his juniors. Under the ~~principle~~ rule enunciated to the grade. above Mr. Nanaswami Rao's rank will be fixed below that of Mr. M. G. Krishnaswami Rao.

CRJ 14/8/20

MM 21/8/20 Chief Secretary to Government.

Print

To The Revenue Commissioner in Mysore.
" " Comptroller to Government.
Copy to Revenue Secretariat.

MM 21/8/20

G.R.S. III—8]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Draft

GOVERNMENT OF MYSORE

No. 262/CB/Genl GENERAL AND REVENUE SECRETARIAT.

Bangalore, 17th Aug 1920.

Dear Sir,

With reference to your letter dated 12th August 1920, I send herewith a copy of the Government Order No. 260-1. CB. 225-19-3 dated 17th Aug 1920.

Yours sincerely,

To

R. Nanasami Rao, Esq.,
Sub Division Officer,
French Rocks.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.